



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 24 फरवरी, 1961/5 फाल्गुन, 1882

HIMACHAL PRADESH ADMINISTRATION

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-4, the 8th November, 1960

No. PWE-147-7/57-84032.—In exercise of the powers delegated *vide* Government of India, Ministry of Home Affairs Notification No. F. 27/59-Him (i), dated the 13th July, 1959, the Lieutenant Governor, Himachal Pradesh, is pleased to make the following rules regulating the recruitment and other connected matters of the Himachal Pradesh Public Works Department Subordinate Service Class III Section Officers (Technical).

By order,
J. MUKAND,
Secretary.

RECRUITMENT RULES

PART I

GENERAL

1. *Short title.*—(a) These rules may be called the Himachal Pradesh Public Works Department Subordinate Service Class III Section Officers (Technical) Recruitment Rules, 1960;

(b) These rules shall come into force from the date of issue of this Notification.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or the context:—

- (a) “Administration” means the Administration of Himachal Pradesh;
- (b) “Recognised Institution” means any University incorporated by law in India and such other University, College, School or Institution which is declared by the Government of India or the Administration to be recognised institution for the purposes of these rules;
- (c) “Service” means the Himachal Pradesh Public Works Department Subordinate Service Class III Section Officers (Technical);
- (d) “Direct recruitment” means an appointment made otherwise than by promotion or transfer from another services except as provided hereafter; and
- (e) “Department” means the Public Works Department, Himachal Pradesh.

PART II

APPOINTMENTS

3. *Number and character of posts.*—The service shall comprise of the posts specified in Appendix ‘A’ to these rules. Nothing in these rules shall affect the inherent right of the Administration to increase or reduce the number of posts prescribed in the said Appendix.

4. *Method of recruitment.*—100 per cent of the posts listed in Appendix ‘A’ shall be filled by direct recruitment, 22.5 per cent Scheduled Castes, 5 per cent Scheduled Tribes and 72.5 per cent others. If, however, sufficient number of persons of Scheduled Castes/Tribes is not available, appointment will be made from other categories. A person already on service of the Central or a State Government or of the Administration or of the Administration of any other Union Territory, may, with the permission of the Government/Administration under which he is serving, apply for such appointment and his claim will be considered along with those of other candidates, provided that no relaxation of the prescribed academic qualifications if any, shall be made in favour of Government servants applying for these posts, but the prescribed maximum age limit in their case may be relaxed by the Chief Engineer, Himachal Pradesh Public Works Department, in suitable cases. The Section Officers who are already in service of Himachal Pradesh Public Works Department as Workcharged Section Officers may, however, be considered subject to the conditions laid down in Chief Engineer’s No. PWE-157-1/58-16789-807, dated the 31st of March, 1959 enclosed herewith as amended from time to time.

5. *Educational and other qualifications.*—No person shall be appointed to the service unless he holds a Diploma or Degree in Civil or Electrical or Mechanical Engineering of an Institution recognised by the Government of India or the Administration from time to time except in the case of Section Officers

already in employment in the Department as Work-charged Section Officers or otherwise who may be appointed to the service even though they do not have the requisite qualifications subject to their fulfilling the conditions laid down in Chief Engineer's No. PWE-157-1/58-16789-807, dated the 31st of March, 1959.

6. *Nationality and Domicile.*—Besides the requirement mentioned in the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, a candidate must be—

- (a) a citizen of India; or
- (b) a subject of Sikkim; or
- (c) a person of Indian origin who has migrated from Pakistan or from the occupied area of Jammu and Kashmir State with intention of permanently settling in India; or
- (d) a subject of Nepal or of a Portuguese possession in India.

Provided that if he belongs to category (c) or (d) he must be a person in whose favour a certificate of eligibility has been given by the Government of India.

Provided further that if he belongs to category (d), the certificate of eligibility will be valid for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India. The candidate, in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he may also be appointed provisionally subject to the necessary certificate being eventually granted to him by the Government of India.

7. *Age limit.*—Candidate for appointment to the posts in the service, must not be less than 18 years or more than 25 years, or more than 28 years in the case of Scheduled Castes/Scheduled Tribes candidates of age on the date of joining the post after his appointment, provided that for a candidate already in the service of the Central or State Government or of the Administration or of the Administration of any other Union Territory applying for the posts, the upper age limit may be relaxed in the manner prescribed in rule 4, provided further that the upper age limit may be relaxed in the case of candidates otherwise found suitable in the manner prescribed in rule 4.

8. *Character of candidates.*—A candidate must satisfy the Administration that his character and antecedents are such as to make him suitable for appointment to the service; provided that a person may be appointed prior to his character and antecedents being verified in special circumstances subject to satisfactory verification of his character and antecedents which may be got verified later on and provided that in case his character and antecedents are not found on verification to be satisfactory, his service may be terminated, and such termination will not amount to a penalty within the meaning of rule 13 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957 as may be amended from time to time.

9. *Physical fitness.*—A candidate shall have to produce a certificate of fitness as required under rules.

10. *Matrimony.*—No person who has more than one wife or husband living or has married a person having already a wife or husband living shall be eligible for appointment, provided that the Government of India or the Adminis-

tration may, after being satisfied that there are special grounds for doing so, exempt any such person from the operation of this rule.

11. Appointment to the service.—All appointments to the service shall be made by the Chief Engineer, Himachal Pradesh Public Works Department.

PART III

CONDITIONS OF SERVICE

12. Pay of the members of the service.—A member of the service holding any appointment specified in Appendix 'A' to these rules, shall, from the date of joining his appointment, be entitled to draw pay in the scale shown in column No. 3 of the said Appendix against such appointment or in the scale as revised from time to time. Nothing in these rules shall affect the right of the Government of India or the Administration to increase or reduce the pay scale now prescribed in said Appendix either permanently or temporarily for new entrants to the service.

13. Initial pay of the members of the service.—In applying the scales of pay to the persons recruited to the service initial pay in the time scale will be fixed at the minimum of the time scale. Nothing in these rules shall affect the right of the Government of India or the Administration to increase or reduce the initial pay of the persons appointed or to be appointed to the service a result of revision of pay scales shown in column No. 3 of Appendix 'A' or otherwise.

14. Probation of members of the service.—Members of the service who are appointed against permanent and temporary vacancies shall, on appointment to any post in the service specified in Appendix 'A' remain on probation for a period of two years.

Explanation-I.—Approved officiating service shall be taken as a period spent on probation but no member who is officiating in any appointment shall, on completion of the probationary period prescribed, be confirmed until he is appointed against a permanent post.

Explanation-II.—If the work or conduct of any member during the period of probation has, in the opinion of appointing authority, not been satisfactory the appointing authority may either dispense with the service or extend his period of probation, and thereafter pass such orders on the expiry of the period of probation as it could have passed on the expiry of the initial period of probation, provided always that the total period of probation including extensions, if any, shall not exceed three years.

15. Seniority.—Seniority rules will be framed separately.

16. Departmental examination.—Every member of the service shall have to pass the following examinations:—

- (a) an examination in Public Works accounts as prescribed by the Chief Engineer, Himachal Pradesh, Public Works Department from time to time.
 - (b) an examination in Engineering as prescribed by the Chief Engineer, Himachal Pradesh, Public Works Department from time to time; and
- any other examination or examinations prescribed by the Chief Engineer, Himachal Pradesh, Public Works Department from time

to time. A member after his initial recruitment at a pay in the grade will be allowed only such increments as the Chief Engineer, Himachal Pradesh, Public Works Department may decide from time to time. He shall, however, not be considered for higher promotion, confirmation and for crossing the efficiency bar in the grade after his initial recruitment unless he has passed the departmental examination for Section Officers. Provided that under special circumstances, the Chief Engineer, Himachal Pradesh, Public Works Department may exempt any member from passing the examinations or any part thereof from time to time.

17. *Confirmation.*—Every member shall be on probation for a period of two years which may be extended by another year if the work of a member so warrants. After the expiry of the probationary period a member may be considered for confirmation if there is a permanent post available to be filled in, otherwise he will continue as temporary against which post he has been initially recruited.

18. *Discipline, Penalties and Appeal.*—In matters concerning discipline, penalties and appeals, members of the service shall be governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1957 as amended from time to time.

19. *General.*—In all matters not expressly provided for in these rules, the members of the service shall be governed by such general rules, as are deemed to have been or may hereafter be framed by the Administration or under the provision of the Constitution of India until provision in that behalf is made by or under an Act of Parliament.

APPENDIX 'A'

List of Posts in the Himachal Pradesh, Public Works Department Subordinate Service Class III Section Officers (Technical)

Sl. No.	Designation of post	Pay scale	Existing number of posts
1.	Section Officers (Civil)	Rs. 100-10-200/10-300	350
2.	Section Officers (Electrical)	-do-	126
3.	Section Officers (Mechanical)	-do-	10

C.E. No. 180

HIMACHAL PRADESH PUBLIC WORKS DEPARTMENT

OFFICE ORDER

Simla-4, the 31st March, 1959

No. PWE-157-1/58-16789-807.—The work-charged overseers who are not qualified have represented that they should be taken into regular cadre in consideration of their past experience and length of service in the Department. It has, therefore, been decided that subject to good reports those work-charged overseers who have passed the sub-overseer's examination or have qualified from Institutions of at least three years standing but which are not so far recognised by Government may be taken into the regular cadre provided

that they have put in at least five years service as work-charged overseers in the Department. It is further decided that those work-charged overseers who have not passed from any Institution but are found to be competent and knowledgeable and useful in P.W.D. work may be appointed as regular overseers provided that they have put in a minimum of seven years service in the Department.

It is, however, emphasized that no work-charged overseers can claim absorption in the regular cadre as a matter of right or on the basis of seniority and his appointment to the regular cadre will be purely on merit subject to the above conditions being fulfilled.

J. MUKAND,
Chief Engineer.